International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

Concluding observations on the initial report of Guyana*

1. The Committee considered the initial report of Guyana at its 381st and 382nd meetings (see CMW/C/SR.381 and 382), held on 11 and 12 April 2018. At its 395th meeting, held on 20 April 2018, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the initial report of the State party, which was prepared in response to the list of issues prior to reporting (CMW/C/GUY/QPR/1), and the additional information provided by the delegation, headed by the Ambassador and Permanent Representative of Guyana to the United Nations and other international organizations in Geneva and comprising other members of the Permanent Mission.

3. The Committee appreciates the open and constructive dialogue held with the delegation. It regrets, however, that the initial report was only submitted on 9 April 2018, which did not allow sufficient time for translation into the working languages of the Committee, thereby not allowing due consideration by the Committee.

4. The Committee notes that Guyana has traditionally been a country of origin of migrant workers, with migratory movement mainly in the direction of North America and Europe. It also notes, however, that Guyana is also a country of destination for migrant workers, primarily from Brazil, Suriname and Venezuela (Bolivarian Republic of), and has increasingly become a country of transit for migrants from Cuba, Haiti and Venezuela (Bolivarian Republic of). It also notes the existence of a small number of Guyanese returnees, and the likelihood of increases in the number of returnees and of persons seeking international protection.

5. The Committee notes that some of the countries in which Guyanese migrant workers are employed are not parties to the Convention, which may constitute an obstacle to the enjoyment by those migrant workers of their rights under the Convention.

B. Positive aspects

6. The Committee welcomes the State party's efforts to combat poverty and inequality, which are some of the primary causes of emigration, including through the adoption of its Poverty Reduction Strategy for the period 2011–2015.

7. The Committee notes with appreciation the ratification of or accession to the following instruments:

* Adopted by the Committee at its twenty-eighth session (9–20 April 2018).

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(a) The Convention on the Rights of Persons with Disabilities, in September 2014;

(b) The International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189), in August 2013;

(c) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in August 2010;

(d) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in July 2010;

(e) The United Nations Convention against Transnational Organized Crime, in September 2004; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, in September 2004; and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, in April 2008.

C. Principal subjects of concern and recommendations

1. General measures of implementation (arts. 73 and 84)

Legislation and application

8. The Committee notes with appreciation that articles 40 and 149 of the Constitution guarantee, respectively, the fundamental rights and freedoms of all individuals in the State party, and protection from discrimination, including on the grounds of race and place of origin. It also notes that article 154 (A) of the Constitution stipulates that every individual is entitled to the rights enshrined in the international human rights treaties acceded to by the State party. The Committee welcomes the information provided by the delegation during the dialogue regarding the establishment of a national commission to ensure overall reform and the alignment of domestic legislation with the Convention. Nevertheless, the Committee expresses concern about domestic legislation referring to "expulsion of undesirables" and "prohibited migrants". The Committee also expresses concern about regulations that allow the detention of migrants, fines for migrants in irregular situations and unclear procedures for expulsion or for submitting cases to court.

9. **The Committee recommends that the State party:**

(a) **Fully incorporate the provisions of the Convention, without any limitations, into its national legal system, public policies and local government procedures;**

(b) **Strengthen the role of the national commission responsible for ensuring overall reform and alignment of domestic legislation with the Convention, and expedite the adoption of the necessary reforms;**

(c) **Develop and implement public policies, programmes and projects to protect the human rights of all Guyanese migrant workers and immigrants in Guyana;**

(d) **Ensure that the State party's existing laws, in particular articles containing discriminatory terminology, are in full conformity with the Convention and other human rights treaties, to ensure that the rights of all migrant workers and members of their families are fully guaranteed in law and in practice, including with respect to due process and access to legal assistance.**

Articles 76 and 77

10. The Committee recommends that the State party consider making the declarations provided for in articles 76 and 77 of the Convention recognizing the competence of the Committee to receive and consider communications from State parties and individuals concerning violations of rights established by the Convention.

Ratification of relevant instruments

11. **The Committee recommends that the State party consider acceding to the International Convention for the Protection of All Persons from Enforced Disappearance as soon as possible.**

Comprehensive policy and strategy

12. The Committee notes with appreciation the active involvement of the State party in regional initiatives, such as the Caribbean Migration Consultations, for enhancing cooperation and partnership to address mixed migration flows in the Caribbean region, as well as the conventions signed and agreements made with the member States of the Commonwealth. However, the Committee regrets that a migration policy and strategy is lacking, despite the increasing number of migrants entering the State party, particularly from the Bolivarian Republic of Venezuela.

13. **The Committee recommends that the State party develop a comprehensive gender-responsive and human rights-based migration policy and strategy in line with the Convention. It also recommends that the State party provide sufficient human, technical and financial resources for the implementation of that policy and strategy. The Committee requests that the State party include in its next periodic report updated information, supported by statistics, on the concrete measures taken to realize the rights, as set out in the Convention, of migrant workers, asylum seekers, refugees and other persons in need of international protection, in law and in practice, with no distinction based on nationality, including economic, social and related measures aimed at addressing the root causes of forced migration of Guyanese nationals.**

Coordination

14. The Committee notes the efforts made by the State party to support migrant workers and members of their families through measures taken by the Ministry of Citizenship, the Ministry of Foreign Affairs, social sector secretariats and the ministries responsible for tourism and for commerce, which are all involved in migration-related issues. It expresses concern at reports regarding the lack of coordination channels and formal and permanent mechanisms for managing migration, as well as the lack of relevant technical expertise, among the institutions involved.

15. **The Committee recommends that the State party strengthen the role and capacity of the coordination and follow-up mechanism by providing it with the human, technical and financial resources and the mandate necessary to effectively coordinate comprehensive migration policies at all levels and to assess the impact of such policies and programmes on the realization of the rights of migrant workers and members of their families. The Committee calls upon the State party to continue its cooperation with specialized agencies and programmes of the United Nations system and to request technical and capacity-building support from the Office of the United Nations High Commissioner for Human Rights with regard to the preparation of reports.**

Data collection

16. The Committee notes that the State party has, in the past, received financial support from international institutions to strengthen the Bureau of Statistics and the statistical capacity of various ministries to generate and manage a database to inform policymaking. It regrets, however, the absence of disaggregated statistical information that would enable it to assess the extent to which the rights set out in the Convention are implemented in the State party, in particular with regard to Guyanese migrant workers abroad and their conditions of employment, the situation of returnees, migrants in transit, women and unaccompanied child migrants, victims of trafficking, and foreign migrant workers in the State party.

17. **The Committee recommends that the State party improve its data collection system, in line with target 17.18 of the Sustainable Development Goals, to ensure that data is collected on the status of migrant workers, both documented and**

undocumented, in the State party, migrant workers in transit, victims of trafficking, and nationals working abroad. The Committee encourages the State party to compile complete data on migration flows, including statistics disaggregated by sex, age, nationality, reason for entry and departure from the country, and the type of work performed, in order to have an effective impact on relevant policies and the implementation of the Convention. Where it is not possible to obtain precise information, for example, in the case of migrant workers in an irregular situation, the Committee requests that the State party compile data drawn from social and academic research and reports from civil society and human rights institutions, to ensure it has comprehensive information to facilitate follow-up by authorities and policymakers on the situation of migrant workers in the country.

Independent monitoring

18. The Committee is concerned about the lack of progress the State party has made in establishing a national human rights institution, despite having accepted the recommendation to do so following its examinations under the universal periodic review in May 2010 (see A/HRC/15/14/Add.1) and January 2015 (see A/HRC/29/16/Add.1). It is also concerned that the Human Rights Commission, which is mandated under article 212 O of the Constitution to monitor the observance of international instruments to which Guyana accedes, is still not operational.

19. **The Committee recommends that the State party:**

(a) **Expedite the establishment of a national human rights institution with a broad mandate to effectively promote and protect the rights of migrant workers and members of their families under the Convention, including dealing with complaints from migrant workers;**

(b) **Provide adequate financial and human resources to the Commission to enable it to effectively discharge its mandate in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);**

(c) **Systematically involve civil society and non-governmental organizations in the implementation of the Convention and the preparation of the State party's next periodic report.**

Training on and dissemination of information about the Convention

20. While welcoming the steps taken by the State party in the context of the global compact for safe, orderly and regular migration, the Committee is concerned that training on the Convention and on related international commitments provided to officials, at all Government levels, and other persons working in the area of migration, is insufficient; it is also concerned about the lack of dissemination of the Convention and information on the rights enshrined therein among all relevant stakeholders.

21. **The Committee recommends that the State party:**

(a) **Develop education and training programmes on the rights of migrant workers and members of their families covered under the Convention and ensure that such programmes are made available to all officials and other persons working in the area of migration, in particular law enforcement and border authorities, judges, prosecutors and relevant consular officials, as well as national, regional and local officials, social workers and members of civil society organizations;**

(b) **Take further steps to ensure access by migrant workers to information and guidance on their rights under the Convention in all languages commonly used in the State party, in particular through pre-employment and pre-departure orientation programmes;**

(c) **Strengthen its work with civil society organizations and the media to disseminate information about and promote the Convention throughout the State party;**

(d) **Organize training sessions for social media reporters and local government authorities aimed at ensuring comprehensive knowledge and use of the Convention.**

Participation of civil society

22. The Committee notes the limited information provided by civil society and diaspora institutions, and the lack of participation of civil society in the implementation of the Convention and in the monitoring of the situation of migrant workers and their families.

23. **The Committee recommends that the State party proactively and systematically involve civil society and non-governmental organizations in the implementation of the Convention, in the investigation of the migration cycle in Guyana, and in the evaluation of legislation and public policies for migrants, including their implementation. The Committee calls upon the State party to ensure that comprehensive information on the situation of migrant workers and members of their families is available to the Committee and the international community. Finally, the Committee recommends that the State party strongly rely on civil society organizations in its efforts to monitor the human rights situation of migrant workers and members of their families and to comprehensively address migration-related issues.**

Corruption

24. The Committee is concerned about reports of corruption in the State party that may adversely affect the rights of migrant workers and members of their families.

25. **The Committee recommends that the State party take measures to strengthen the institutional framework to combat corruption, investigate all cases of corruption involving public officials and punish the perpetrators. The Committee also recommends that the State party:**

(a) **Develop communication and education policies aimed at preventing corruption;**

(b) **Inform the public about anti-corruption policies;**

(c) **Train public servants on how to respond to ethical rules violations and on anti-corruption provisions in legislation.**

2. General principles (arts. 7 and 83)

Non-discrimination

26. The Committee notes that the Constitution and the Prevention of Discrimination Act 1997 protect individuals from discrimination in employment, training, recruitment and the membership of professional bodies and guarantee equal remuneration to men and women who perform work of equal value. However, the Committee regrets the lack of information on actual practice and examples that would make it possible to assess the implementation of the right to non-discrimination pursuant to the Convention with respect to both documented and undocumented migrant workers.

27. **The Committee recommends that, in accordance with article 7 of the Convention, the State party step up its efforts to ensure that all migrant workers and members of their families within its territory or subject to its jurisdiction enjoy the rights guaranteed in the Convention without discrimination, by, inter alia, entrusting an institution with the task of ensuring the respect of the principle of equality and non-discrimination.**

Right to an effective remedy

28. The Committee is concerned about the limited access to justice for migrant workers, regardless of their migration status, due to language barriers and to their lack of awareness

of the administrative and judicial remedies available to them with respect to filing complaints and obtaining effective redress.

29. **The Committee recommends that the State party take measures to facilitate access to justice for all migrant workers, including with regard to due process, judicial assistance and defence by an attorney, and the removal of linguistic obstacles preventing them from filing complaints about abuse and violations. The Committee also recommends that the State party launch, in languages that migrant workers can understand, information campaigns on administrative and judicial remedies available to them with respect to filing complaints and obtaining redress. Furthermore, the Committee recommends that the State party empower migrant workers to know their rights and how to claim them, including by providing them with information on fair recruitment, decent work standards, available social protection, financial matters, and the local culture, lifestyle and relevant legislation in the destination country, making it clear where there are different standards for women, and by giving them contact information for labour wings and attachés in the States of employment.**

3. Human rights of all migrant workers and members of their families (arts. 8–35)

Border management

30. The Committee notes the steps taken by the State party to assist migrants seeking international protection and the challenges faced by the State party in responding to the increasing number of migrants from the Bolivarian Republic of Venezuela entering the State party. The Committee expresses concern about reports of abuse of authority and detention of Venezuelan migrants at border control points, including by military forces, and incidents with gangs in the border areas.

31. **The Committee recommends that, in line with the Recommended Principles and Guidelines on Human Rights at International Borders published by the Office of the United Nations High Commissioner for Human Rights, the State party:**

(a) **Respect its human rights obligations at all border crossings, including the right to due process, for all migrants regardless of their status;**

(b) **Ensure that border governance measures address and combat all forms of discrimination by State and private actors at international borders, and are in accordance with the principle of non-refoulement and the prohibition of arbitrary and collective expulsion;**

(c) **Ensure that migrants who have suffered human rights violations or abuses as a result of border governance measures have equal and effective access to justice and remedies, and that violators are prosecuted and appropriately punished;**

(d) **Allocate sufficient budgetary resources to strengthen border governance, ensuring that facilities are equipped to provide human rights-based and proportionate responses to migrants arriving at international borders, and that border authorities are trained in international human rights law relevant to their work, including with regard to gender equality;**

(e) **Ratify the Convention relating to the Status of Refugees and its Protocol, adopt national refugee legislation that establishes fair and efficient refugee status determination procedures, and ensure that persons in need of international protection have access to national services, including health services and access to employment. In the meantime, the State party should take all necessary measures aimed at enacting comprehensive national policies for the support of Venezuelan migrant workers and their families entering and remaining in Guyana.**

Labour exploitation and other forms of ill-treatment

32. The Committee is concerned that, due to language barriers and lengthy and complex procedures for applying for work permits, migrant workers face difficulties in regularizing their status, which increase their risk of exploitation. The Committee also expresses concern at reports of exploitation of migrant workers, including domestic servitude, forced

child labour, children performing hazardous work in the construction, logging, farming, fishing and manufacturing and mining industries, and commercial sexual exploitation, and the lack of information on measures taken to combat such abuses.

33. **The Committee recommends that the State party:**

(a) **Ensure that migrant workers have access to information, in a language they understand, on how to regularize their status, and that it simplify the process of obtaining work permits;**

(b) **Take all appropriate measures to ensure that the irregular situation of migrant workers does not persist, in line with the Committee's general comment No. 2 (2013) on the rights of migrant workers in an irregular situation and members of their families;**

(c) **Ensure regular and unannounced inspections by trained labour inspectors in sectors where migrant workers are concentrated, particularly in the construction, logging, farming, fishing and manufacturing and mining industries;**

(d) **Prosecute persons or groups exploiting migrant workers or subjecting them to forced labour and abuse, especially in the informal economy, and punish perpetrators with appropriate sanctions, in line with targets 8.7, 8.8 and 16.2 of the Sustainable Development Goals;**

(e) **Provide adequate assistance, protection and rehabilitation, including psychosocial rehabilitation, to victims of sexual and labour exploitation, especially migrant women and children.**

Due process, detention and equality before the courts

34. The Committee regrets that, under section 9 of the Aliens (Immigration and Registration) Act and section 34 of the Immigration Act, the detention of irregular migrants is not an exceptional measure of last resort. It expresses concern at reports that migrants may be detained in the same facilities as individuals who have been charged and detained under criminal law.

35. **The Committee recommends that the State party ensure that its national laws, policies and practices adequately respect the right to liberty and the prohibition of arbitrary detention of migrant workers and members of their families. In particular, it recommends that the State party:**

(a) **Ensure that administrative detention is used only as a measure of last resort and that non-custodial, community-based alternatives are provided, in line with the Committee's general comment No. 2;**

(b) **Ensure that children are not detained on the basis of their parents' status, and adopt alternatives to detention that allow children to remain with family members and/or guardians;**

(c) **Decriminalize irregular migration and ensure that migrant workers and members of their families have access to legal aid, effective remedies, justice and consular services, and that the guarantees enshrined in the Convention are upheld, in full compliance with articles 16 and 17 of the Convention;**

(d) **Provide information, in its next periodic report, on the number of migrant workers arrested, detained and expelled for immigration-related infractions, the reason for their detention and expulsion and their detention conditions, including the length of detention.**

Expulsion

36. While acknowledging the steps taken by the State party to amend the current legislation, the Committee notes that, pursuant to section 5 of the Expulsion of Undesirables Act, "any person against whom an expulsion order has been made may make representations in writing to the President setting for reasons for non-compliance with such order or for non-enforcement thereof or for allowance of further time to comply therewith",

and that "the person in whose custody he shall be shall give him all reasonable assistance for their preparation and forward the writing to the President".

37. **The Committee requests the State party to provide, in its next periodic report, information on measures taken to ensure that migrant workers who are subjected to an expulsion order are aware of and are able to exercise their right to appeal, and on the administrative and judicial mechanisms available to challenge an expulsion order.**

Consular assistance

38. While noting the existence of consular and diplomatic representation in most countries of destination for Guyanese migrant workers, including Canada, the United States of America and the United Kingdom of Great Britain and Northern Ireland, and all the efforts made to provide consular services, assistance and protection, the Committee is concerned about the lack of data regarding specific instances when consular assistance has been provided to migrant workers and members of their families to ensure the protection of their rights.

39. **The Committee recommends that the State party take the steps necessary to ensure that its consular services effectively meet the needs of Guyanese migrant workers and members of their families in terms of protecting their rights and providing them with assistance. In particular, it recommends that the State party:**

(a) **Formulate a policy on consular protection designed to protect the rights of migrant workers and members of their families abroad;**

(b) **Provide sufficient human and financial resources to effectively implement protection measures;**

(c) **Develop a standardized tool for the collection of quantitative and qualitative data by Guyanese consulates on who has received consular assistance, on cases that have been opened and those that have been closed, and on the outcome of those cases.**

Remuneration and conditions of work

40. The Committee notes and reiterates the concerns expressed by the ILO Committee of Experts on the Application of Conventions and Recommendations regarding the legal ambiguity of the scope and meaning of the principle of equal remuneration for work of equal value in the domestic legislation of the State party, in particular with regard to contract conditions and benefits.

41. **The Committee recommends that the State party:**

(a) **Amend section 2 (3) of the Equal Rights Act (No. 19 of 1990) with a view to bringing it into conformity with the principle of equal remuneration for work of equal value set out in the ILO Equal Remuneration Convention, 1951 (No. 100) and with the Prevention of Discrimination Act (No. 26 of 1997) so as to remove legal ambiguities;**

(b) **Ensure that migrant workers enjoy the same treatment as nationals, in line with target 8.8 of the Sustainable Development Goals;**

(c) **Collect data on cases involving non-compliance with the principle of equal pay for work of equal value, including sanctions imposed on non-compliant employers;**

(d) **Ensure access to justice for migrant domestic workers, and strengthen labour inspection services to effectively monitor conditions of domestic work and to receive, investigate and address complaints of alleged violations.**

Birth registration and nationality

42. The Committee notes that, pursuant to the Guyana Citizenship Act, children born in Guyana are citizens by birth, and that, pursuant to the Constitution, children born outside of Guyana may be granted citizenship if either the mother or the father is a Guyanese citizen.

The Committee, however, expresses concern about obstacles faced in accessing birth registration, especially by migrant workers and communities in rural and hinterland areas.

43. **The Committee recommends that the State party ensure that all children, including children of migrant workers, are registered at birth and issued personal identity documents in line with target 16.9 of the Sustainable Development Goals, and that it raise awareness of the importance of birth registration among communities in rural and hinterland areas and among migrant workers and members of their families, especially those in an irregular situation. The Committee also encourages the State party to accede to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.**

Education

44. The Committee notes that the right to education is guaranteed under the Constitution for all citizens, and that the State party has carried out projects such as the Tackling Child Labour through Education initiative of the ILO International Programme on the Elimination of Child Labour to increase school enrolment and attendance rates among children.

45. **In line with joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration, the Committee recommends that the State party adopt concrete and effective measures to ensure access to education for children of migrant workers, irrespective of the migration status of their parents, including by addressing linguistic barriers, in accordance with article 30 of the Convention. It requests the State party to provide, in its next periodic report, information on the general situation regarding access to education for children of migrant workers, irrespective of their migration status.**

4. Other rights of migrant workers and members of their families who are documented or in a regular situation (arts. 36–56)

Pre-departure and the right to be informed

46. The Committee notes the information provided by the delegation during the dialogue that countries of destination consistently provide information for migrant workers about their rights and available mechanisms of consular assistance and protection, and also notes that a significant number of Guyanese nationals emigrate to Canada, the United States and the United Kingdom. It regrets, however, the lack of information on whether pre-departure information and awareness-raising programmes are available to inform Guyanese migrants and members of their families about their rights under the Convention.

47. **The Committee recommends that the State party take appropriate measures to disseminate information on the rights of migrant workers under the Convention, conditions of admission and employment, and the rights and obligations under the laws of the State of employment. The Committee also recommends that the State party develop targeted pre-departure and awareness-raising programmes, in consultation with, inter alia, civil society organizations, diaspora institutions and other relevant non-governmental organizations, migrant workers and their families, and recognized and reliable recruitment agencies.**

Right to vote and to be elected in the State of origin

48. The Committee welcomes the information provided by the delegation during the dialogue on the steps taken by the State party to facilitate the rights of Guyanese migrant workers abroad to participate in public affairs and to vote.

49. **The Committee recommends that the State party ensure that Guyanese migrant workers residing abroad are able to effectively exercise their rights to participate in public affairs and to vote.**

Right to transfer earnings and savings

50. The Committee takes note of the possibility for Guyanese working abroad to use automatic money transfer channels and the availability of simplified procedures for opening a bank account in the State party upon return. The Committee regrets, however, the lack of policies and regulations for the establishment of fair fees and rates. Finally, the Committee observes the lack of information regarding flows of remittances and the costs incurred by Guyanese migrant workers abroad and by migrant workers in the State party when transferring their earnings and savings back to their countries of origin.

51. **The Committee recommends that the State party provide, in its next periodic report, information on:**

(a) **Flows of remittances from countries where Guyanese migrants and members of their families work, and on the costs incurred by them when transferring their earnings and savings;**

(b) **Measures taken to facilitate the transfer of earnings and savings by migrant workers in Guyana, in line with target 10.c of the Sustainable Development Goals;**

(c) **Regulation and controls established for financial institutions to prevent excessive rates and fees for migrant workers returning to the State party.**

5. Promotion of sound, equitable, humane and lawful conditions in connection with the international migration of workers and members of their families (arts. 64–71)

Children in situations of international migration

52. While noting the steps taken by the State party to harmonize domestic laws and practices with the Convention, the Committee expresses concern at reports of children of migrant parents who remain behind and at the lack of adequate social support and assistance provided to children in those situations. It is further concerned that, under the Immigration Act, children who are dependants of a prohibited immigrant are also considered prohibited immigrants.

53. **In line with joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child, the Committee recommends that the State party:**

(a) **Conduct research nationwide on children of migrant workers in situ and on those remaining behind in the State party to establish the demographic profile of this population and identify their specific needs in order to guide appropriate government policies and programmes;**

(b) **Conduct research nationwide on children of migrant workers in situ and on those remaining behind in other countries such as Canada and the United States;**

(c) **Adopt a comprehensive strategy to promote and protect the rights of children and families of Guyanese workers, in particular through educational, entrepreneurial, training and community welfare programmes, and further its cooperation with civil society actors;**

(d) **Amend the Immigration Act to protect children of prohibited immigrants, including unaccompanied children and to ensure that they are not discriminated against;**

(e) **Provide, in its next periodic report, information on the measures taken to facilitate the resettlement and reintegration of Guyanese migrant workers on their return, including reunification with their children who remained behind in Guyana and/or in the United States.**

International cooperation with countries of transit and destination

54. The Committee notes with appreciation the continued involvement of the State party in enhancing cooperation and partnership to address the complex phenomenon of mixed migration in the region, including its participation in the Caribbean Migration Consultations initiative. However, the Committee regrets the lack of information regarding bilateral agreements that the State party has concluded with countries of transit and destination, and expresses concern that the free movement policy under the Caribbean Community Single Market and Economy only promotes the free movement of skilled persons, rather than the rights guaranteed under the Convention.

55. **The Committee recommends that the State party:**

(a) **Fully implement the provision of appropriate consular and other services in accordance with regional agreements;**

(b) **Strengthen bilateral cooperation with countries in the region for the implementation of the Convention;**

(c) **Ensure that bilateral and multilateral agreements relating to labour migration do not discriminate against migrant workers and that they specifically address human rights, including access to health care and social protection for migrant workers.**

Return and reintegration

56. The Committee notes that a considerable number of Guyanese have been deported from Canada, the United States and the United Kingdom, and that such individuals face discrimination and negative stereotypes in the State party, being viewed as responsible for the increasing crime rate. It regrets the lack of information on the measures taken by the State party to receive and assist such individuals, and on the steps taken to protect the rights and promote the integration of returning Guyanese migrants and members of their families in general.

57. **The Committee recommends that the State party take measures to fully ensure the reintegration of Guyanese migrant workers and members of their families in the State party, without discrimination based on the cause of expulsion or deportation from their countries of destination, as provided for in article 67 of the Convention. The Committee recommends that public policies and programmes for this group of forced returnees include provisions for labour inclusion, family reintegration, social services and mental health support.**

6. Dissemination and follow-up

Dissemination

58. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels, including to government ministries, the legislature, the judiciary and relevant local authorities, as well as to non-governmental organizations and other members of civil society.**

Technical assistance

59. **The Committee recommends that the State party avail itself of international assistance for the implementation of the recommendations contained in the present concluding observations in line with the 2030 Agenda for Sustainable Development.**

Next periodic report

60. **The Committee requests the State party to submit its second periodic report by 1 May 2023. In doing so, the State party may wish to follow the simplified reporting procedure. The Committee draws the State party's attention to its harmonized treaty-specific guidelines (HRI/GEN.2/Rev.6).**